

**Illinois Department of Revenue
Regulations**

Title 86 Part 435 Section 435.200 Denial, Suspension, or Revocation of Licenses
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TITLE 86: REVENUE

**PART 435
CHARITABLE GAMES ACT**

Section 435.200 Denial, Suspension, or Revocation of Licenses

- a) The Department shall deny the application, including a renewal application, of any person or organization which does not satisfy all eligibility requirements for the license for which application is made, or which is ineligible for a license under Section 435.150(a).
- b) *The Department shall revoke any license when it finds that the licensee or any person connected therewith has violated or is violating the provisions of the Act or any rule promulgated thereunder* (Section 10 of the Act), or when it finds that the licensee has become ineligible for any reason while the license is in effect.
- 1) *The Director may review the offenses subjecting the licensee to revocation and may issue a suspension. The decision to reduce a revocation to a suspension, and the duration of the suspension, shall be made by taking into account factors that include, but are not limited to, the licensee's previous history of compliance with the Act and its rules, the number, seriousness, and duration of the violations, and the licensee's cooperation in discontinuing and correcting violations. Violations of Sections 4, 5, 6, 7, and subsection (2) of Section 8 of the Act are considered to be more serious in nature than other violations under the Act.* (Section 10 of the Act)
- 2) The effective date of a revocation or suspension shall be not less than 25 days after the date the Department mails the notice to the licensee. If the licensee requests a hearing within 20 days as provided in subsection (c)(2) below, the effective date of any revocation or suspension is stayed pending the outcome of the hearing, and the licensee may continue to operate under the license, unless the Department has determined that a summary revocation or suspension is warranted, as provided in Section 13 of the Act. If a license expires during a stay of revocation or suspension, the licensee may continue to operate only if a substantially complete renewal application and application fee have been received by the Department prior to the expiration of the license. Although the licensee may continue to operate, the Department will not issue the renewal license until the hearing decision has been rendered. If the hearing officer determines that revocation is warranted, the renewal application will be denied pursuant to Section 435.150 (a)(3).
- 3) A revocation or suspension shall be in addition to, and not in lieu of, any other civil or criminal penalties or assessments authorized by the Act.

c) Notification of denial, suspension, or revocation; requests for hearing:

1) The Department shall send notices of denial, suspension, or revocation by certified mail, return receipt requested, to the applicant or licensee at the mailing address stated on the applicant's or licensee's most recent license application. All such notices shall include a statement of the reasons for the Department's action.

2) An applicant or licensee may request a hearing to contest a denial, suspension, or revocation. The request shall be in writing, and must be received by the Department within 20 days after the date the Department mailed the notice of its action to the applicant or licensee. If no hearing is requested within 20 days, the Department's revocation, suspension, or denial becomes final, and the licensee is barred from operating. Hearings shall be governed by the regulations established at 86 Ill. Adm. Code 200.

(Source: Amended at 21 Ill. Reg. 3978, effective March 14, 1997)